WRITTEN ANSWERS TO UNSTARRED QUESTIONS

Land taken from Tribes by BALCO

†2523. SHRI DILIP SINGH JUDEV: Will the Minister of COAL AND MINES be pleased to state:

(a) the land taken from the Scheduled Tribes in Korba (Madhya Pradesh) by the Bharat Aluminium Company;

(b) whether the State Government has taken any action to return this land to its owners; and

(c) if so, the owners to whom the land has been given back?

THE MINISTER OF STATE IN THE MINISTRY OF COAL AND MINES (SHRI RAVI SHANKAR PRASAD): (a) to (c) Bharat Aluminium Company Limited (BALCO) did not take any land directly from the Scheduled Tribes in Korba, Madhya Pradesh. The Government of Madhya Pradesh acquired land and handed over the same to BALCO, together with the tenure land, around 1968. In 2001, the Government of Chattisgarh issued notices purportedly to take back some of the land thus given to BALCO. The matter was agitated before the Supreme Court in Transferred Case (Civil) No. 8 of 2001 with TC(C) No. 9 and 10 of 2001 and W.P.(C) No. 194 of 2001. The Supreme Court decided that "In the instant case, either the land was acquired and then given on lease by the State Govt. to BALCO or permission was given by the District Collector for transfer of private land in favour of BALCO. This was clearly permissible under the provisions of Section 165(6) as it then stood and it is too

†Original notice of the question was received in Hindi.

late in the day, 25 years after the last permission was granted, to hold that because of this disinvestment, it must be presumed that there is a transfer of land to the non-tribal in the year 2001 even though the land continues to remain with BALCO to whom it was originally transferred. The giving of land to BALCO on lease was in compliance with the provisions of Section 165(6) of the Revenue Code. Moreover, change of management or in the shareholding does not imply that there has now been any transfer of land from one company to another. If the original grant of lease of land and permission to transfer in favour of BALCO between the years 1968 and 1972 was valid, then, it cannot now be contended that there has been another transfer of land with the Government having been reduced its stake to 49%. Even if BALCO had been a non-public sector undertaking, the transfer of land to it was not in violation of the M.P. Land Revenue Code."

In view of the clear finding of the Supreme Court the question (a) & (b) does not arise.

Repair of Ganga dragline machine in Jayant Project of Northern Coalfields Ltd.

†2524. SHRI MUNAVVAR HASAN: Will the Minister of COAL AND MINES be pleased to state:

(a) whether it is a fact that Rs. 50 crores were spent on repairs of Ganga dragline machine under Jayant Project of the Northern Coalfields Limited in the year 2000-2001;

(b) if so, the details thereof;

(c) whether it is also a fact that repair work was got carried out by local people and not from the original company resulting in payment of fake bills;

(d) whether Government propose to conduct an enquiry into the whole matter after transferring officers connected with the operation of 'Ganga dragline machine'; and

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